

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES

V.

NO. 04 10293 JLT

ANTHONY P. RAYMOND

**MOTION OF DEFENDANT TO PRECLUDE THE GOVERNMENT'S
ATTORNEY FROM PRESENTING JENCKS ACT
MATERIAL TO THE DEFENDANT'S COUNSEL IN FRONT OF THE JURY**

The defendant in the above entitled matter moves this Honorable Court for an order to preclude the Government's attorney from presenting Jencks Act material to counsel for the defendant in front of the jury.

The defendant respectfully suggests to this Honorable Court that the Government's attorney should present said material to counsel for the defendant not in the view of the jury so that the jury does not get the idea that the Government is doing something for the defendant as well as prosecuting him. See *Gregory v. United States*, 369 F.2d 185 (D.C. Cir. 1966); *United States v. Gardin*, 382 F.2d 601 (2d Cir. 1967).

REQUEST FOR ORAL ARGUMENT

Defendant believes that oral argument will assist the Court and requests a hearing on this motion. Local Rule 7.1 (D).

/s/Roger Witkin
ROGER WITKIN
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Dated: September 12, 2005
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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES

V. CRIMINAL NO. 04 10293 JLT

ANTHONY P. RAYMOND

CERTIFICATE OF SERVICE

I hereby certify that on this day a true copy of the within document was served upon the attorney of record for the United States, AUSA Paul Moore, and a courtesy copy to the Clerk of Court by mail and electronic filing, which was e-filed this day.

/s/ Roger Witkin
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DATE: September 12, 2005

